

FORTY-THIRD DAY
(Tuesday, March 26, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire, Williams.

A quorum was announced present.

Senator Roy Blake offered the invocation as follows:

Our Heavenly Father, each of us as we deliberate the issues that affect the State are always concerned about how our votes will affect our lives back home and how the people will think about us back home. We would just ask that we worry just as much about our actions and how You will look upon our actions as we do how our constituents do. Be with us throughout this day, forgive us of our sins, for we ask these things in Thy name, for Christ's sake. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

House Chamber
March 26, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 632, Relating to the admissibility of evidence seized pursuant to a governmental action.

H.C.R. 49, Expressing support for United Nations on the 40th anniversary of its founding.

H.C.R. 108, Honoring Dr. Jack W. Humphries, president of Sul Ross State University.

S.B. 380, Relating to the conveyance of certain state-owned real property in Wichita County.

S.B. 106, Relating to local regulation of a business that sells alcoholic beverages in which an employee engages in certain sexually oriented conduct. (As substituted)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

H.B. 330
S.B. 601
S.B. 620 (Amended)

Senator Uribe, Vice-Chairman, submitted the following report for the Committee on Health and Human Resources:

S.B. 655
S.B. 1267

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

S.B. 819

Senator Jones submitted the following report for the Committee on Finance:

S.B. 414
S.B. 759
S.B. 809
S.B. 906 (Amended)
S.B. 907
S.B. 908
S.B. 978
S.B. 994
S.B. 1125 (Amended)
C.S.S.B. 760
C.S.S.B. 625

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 610

Senator Farabee submitted the following report for the Committee on State Affairs:

S.B. 611
S.B. 820 (Amended)
S.B. 745
C.S.S.B. 612

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

C.S.S.B. 399

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolution:

H.B. 316
H.C.R. 103
S.B. 133

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Barrientos and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1283 by Barrientos State Affairs
Relating to certain motor vehicles subject to the Texas Litter Abatement Act.

S.B. 1284 by Santiesteban Intergovernmental Relations
Relating to county change funds.

S.B. 1285 by Henderson Intergovernmental Relations
Relating to the authority of certain counties to regulate the placement of signs on public roads; providing a penalty.

S.B. 1286 by Henderson Intergovernmental Relations
Relating to the creation and administration of rural fire prevention districts.

S.B. 1287 by Mauzy Intergovernmental Relations
Relating to the composition and jurisdiction of certain district courts and statutory county courts.

S.B. 1288 by Parker Natural Resources
Relating to the gulfward boundaries of general-law cities, towns, and villages located on the coastline.

S.J.R. 39 by Santiesteban Intergovernmental Relations
Proposing a constitutional amendment to abolish the office of county treasurer in El Paso County.

S.C.R. 94 by Uribe Administration
Granting the students and teachers of the Second Annual Young Leadership Workshop permission to use the Senate and House Chambers Wednesday, July 31, through Friday, August 2, 1985.

HOUSE BILL AND RESOLUTION ON FIRST READING

The following bill and resolution received from the House were read the first time and referred to the Committee indicated:

H.B. 408, To Committee on Education.

H.J.R. 7, To Committee on Criminal Justice.

CO-AUTHOR OF SENATE BILL 192

On motion of Senator Sharp and by unanimous consent, Senator Leedom will be shown as Co-author of **S.B. 192**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 13

On motion of Senator Glasgow and by unanimous consent, Senator Sharp will be shown as Co-author of **S.J.R. 13**.

SENATE RESOLUTION 227

Senator Brown offered the following resolution:

WHEREAS, The Texas Senate wishes to declare March 26, 1985, Brazoria County Day in acknowledgment of the vast contributions made by the County of Brazoria to the development and reputation of Texas and its people; and

WHEREAS, Deriving its name from the Brazos River, this county has a rich and diversified history reaching as far back as 1528 when the first settlers from the

Old World landed in the locality which has since become known as the "Cradle of Texas"; and

WHEREAS, The home of the Father of Texas, Stephen F. Austin, this area was the site of a settlement of 71 of his "Old Three Hundred"; in the early days of the Republic the first permanent capital of Texas was established in October, 1836, in West Columbia in Brazoria County before being moved to Houston, and then to its permanent site in Austin; and

WHEREAS, Nearly some 150 years later this county is still making a name for itself in the annals of Texas history; as a leader in the petrochemical industry, Brazoria was chosen by Dow Chemical as the location for the world's largest single basic chemical plant; tourism, fishing, and shrimping abound in this county which is home to some of the finest beef cattle in Texas; and

WHEREAS, This expansive county provides visitors with the largest county fair in the state, the well-known Brazoria Wildlife Refuge, and miles of excellent beaches; and

WHEREAS, It is indeed appropriate that this county abundant in natural, cultural, and economic resources be recognized by the Texas Senate for the honor it brings to this great state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, declare March 26, 1985, Brazoria County Day in recognition of the vast and various contributions it has made to the state; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the County of Brazoria as a token of the high esteem and regard of the Texas Senate on this Brazoria County Day.

BROWN
SHARP

The resolution was read and was adopted.

GUESTS PRESENTED

Senator Brown welcomed a delegation of Brazoria County residents seated in the gallery and escorted members of that delegation to the President's Rostrum.

The President presented them an enrolled copy of S.R. 227.

SENATE RESOLUTION 233

Senator McFarland offered the following resolution:

WHEREAS, Fifteen percent of the population has, or will at some time in their life have, a physical, mental, emotional, or developmental disability; and

WHEREAS, All Americans strive to achieve significant personal goals in their life no matter what their apparent capabilities; and

WHEREAS, Texans in particular have a history of overcoming adversity, setting high standards, and accomplishing milestones through rugged individualism; and

WHEREAS, Native Texan Randy Snow of Euless has demonstrated these traits through many competitive athletic accomplishments; and

WHEREAS, He was a member of the 1983 Gold Cup World Wheelchair Basketball Championship Team; and

WHEREAS, He is four-time defending United States Men's Open Singles Wheelchair Tennis Champion; and

WHEREAS, He has set national wheelchair track records at 200, 400, 1,500, and 5,000 meters; and

WHEREAS, He has set a world wheelchair track record at 5,000 meters; and

WHEREAS, His highest athletic achievement occurred August 11, 1984, during the Summer Olympics in the Los Angeles Coliseum when he was the highest

finishing American and won a Silver Medal in the Men's 1,500 meter wheelchair track race; now, therefore, be it

RESOLVED, That on this the 26th day of March, 1985, on Disability Rally Day in Austin, the Senate of the State of Texas, 69th Legislature, hereby recognize the outstanding athletic achievements of Randy Snow; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Mr. Randy Snow as an expression of deepest admiration from the Texas Senate.

The resolution was read and was adopted.

On motion of Senator Lyon and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

GUEST PRESENTED

Senators McFarland and Lyon escorted Mr. Snow to the Bar of the Senate.

The President presented an enrolled copy of S.R. 233 to him and the Senate expressed their admiration to Mr. Snow.

GUEST PRESENTED

Senator Traeger was recognized and introduced Dr. Stephen H. Ousley of New Braunfels, the Capitol Physician for the Day.

The Senate welcomed Dr. Ousley and expressed their appreciation for his service.

(President Pro Tempore Farabee in Chair)

SENATE RESOLUTION 182

Senator Brooks offered the following resolution:

WHEREAS, Over two and one-half million citizens in Texas are directly affected by physical, mental, or developmental disabilities; and

WHEREAS, All persons, including those with disabilities, are entitled to dignity and respect and have fundamental rights to equal opportunity and full participation in the mainstream of society; and

WHEREAS, Individuals who have disabilities can achieve these goals through effective programs which promote independent living, job training, job placement, and the development of community living alternatives such as accessible housing, supervised apartment living, and group homes; and

WHEREAS, Thirty statewide disability organizations are officially sponsoring Disability Rally Day throughout the state on March 25 and 26, 1985, as a public education effort to recognize the rights of citizens who are disabled to participate in and contribute to our society; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, hereby recognize and commend the following organizations which are sponsoring and participating in Disability Rally Day: Advocacy, Incorporated; American Council of The Blind; Association for Retarded Citizens/Texas; Coalition on Mental and Developmental Disabilities; Coalition of Texans with Disabilities; Council on Disabilities; Deaf-Blind Multihandicapped Association; Governor's Committee for Disabled Persons; Huntington's Disease Association of Texas; LAUNCH Incorporated-Coalition of Learning Disabled Adults; Mental Health Association in Texas; Southwest Wheelchair Athletic Association; Spina Bifida Association of Texas, Incorporated; Texas Advocates; Texas Alliance for the Mentally Ill; Texas Association of Children and Adults with Learning Disabilities; Texas Association of the Deaf; Texas Easter Seal Society; Texas Council of Community Mental Health and Mental Retardation Centers; Texas Occupational Therapy Association; Texas

Paralyzed Veterans Association; Texas Physical Therapy Association; Texas Planning Council for Developmental Disabilities; Texas Rehabilitation Association; Texas School for the Blind; Texas Special Olympics, Incorporated; Texas Speech-Language-Hearing Association; Texas Society for Autistic Citizens; United Cerebral Palsy of Texas, Incorporated; and United Way; and, be it further

RESOLVED, That in recognition of the initiative of Texans with disabilities the Senate rededicate its commitment to support community programs and services which will increase the independent capacities and quality of life of persons with disabilities; and, be it further

RESOLVED, That the Senate of the State of Texas, 69th Legislature, recognize March 26, 1985, as Disability Rally Day in Texas and encourage all Texans to join persons with disabilities in the support of state and local rally day activities to develop a better understanding of programs and services for citizens who are disabled; and, be it further

RESOLVED, That a copy of this Resolution be presented by an official delegation from the Texas Senate at Disability Rally Day ceremonies at the State Capitol on Tuesday, March 26, 1985.

The resolution was read and was adopted.

On motion of Senator McFarland and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

INTERPRETER PRESENTED

Senator Brooks was recognized and introduced Mary Elmore, interpreting today's proceedings for the benefit of the hearing impaired.

The Senate expressed their appreciation to Ms. Elmore.

SENATE RESOLUTION 234

Senator Barrientos offered the following resolution:

S.R. 234, Welcoming participants of the 1985 Beatrice Bicycle Classic in Texas.

The resolution was read and was adopted.

GUESTS PRESENTED

Senator Barrientos was recognized and presented 1984 Olympic cycling medalists Rebecca Twigg and Leonard "Harvey" Nitz.

The Senate expressed their welcome and appreciation to these young people.

SENATE BILL 681 REREFERRED

On motion of Senator Jones and by unanimous consent, **S.B. 681** was withdrawn from the Committee on State Affairs and rereferred to the Committee on Finance.

(President in Chair)

SENATE BILL 652 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 652, Relating to the offense of public intoxication.

The bill was read second time and was passed to engrossment.

SENATE BILL 652 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 652 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

MESSAGE FROM THE HOUSE

House Chamber
March 26, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 329, Relating to the annual report of the Texas Department of Human Resources.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 689 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 689, Relating to legislative leave for fire fighters and police officers in certain cities.

The bill was read second time and was passed to engrossment.

SENATE BILL 689 ON THIRD READING

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 689 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 733 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 733, Relating to the interest rates of judgments of student loans.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 733 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 733 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 288 ON SECOND READING

Senator Glasgow asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 288, Relating to the exemption from ad valorem taxation of implements of husbandry.

There was objection.

Senator Glasgow then moved to suspend the regular order of business and take up **C.S.S.B. 288** for consideration at this time.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Mauzy, Parker, Washington.

The bill was read second time.

Senator Glasgow offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 288** by deleting the word "vehicle," where it appears in Subsection (b) of Section 11.161.

The amendment was read and was adopted.

Senator Sarpalius offered the following amendment to the bill:

Floor Amendment No. 2

Amend SECTION 1 of **C.S.S.B. 288** by adding subdivision (3) to Section 11.161(b), to read as follows:

"(3) grain storage enclosures, including feed and grain storage facilities used by a farmer or rancher to store feed and grain produced by the farmer or rancher."

The amendment was read.

Senator Lyon moved to table the amendment.

On motion of Senator Sarpalius and by unanimous consent, the amendment was withdrawn.

Senator Sarpalius offered the following amendment to the bill:

Floor Amendment No. 3

Amend SECTION 1 of **C.S.S.B. 288** by adding subdivision (3) to Section 11.161(b), to read as follows:

“(3) on farm grain storage enclosures, including feed and grain storage facilities used by a farmer or rancher to store feed and grain produced by the farmer or rancher.”

The amendment was read.

On motion of Senator Lyon, the amendment was tabled by the following vote: Yeas 26, Nays 5.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Parker, Parmer, Santiesteban, Traeger, Truan, Uribe, Washington, Whitmire, Williams.

Nays: Farabee, Montford, Sarpalius, Sharp, Sims.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 4

Amend C.S.S.B. 288: Add Section 11.162 to read as follows:

Commercial Fishing Equipment

A person is entitled to an exemption from taxation of boats and other equipment he owns and uses primarily in the taking of fish, shrimp, shellfish and other marine animals for resale as food for human consumption.

No fiscal implications to the State are anticipated.

The amendment was read.

On motion of Senator Truan and by unanimous consent, the amendment was withdrawn.

On motion of Senator Glasgow and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 288 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Montford, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Mauzy, Parker, Washington.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 440 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 440, Relating to the governance, territory, and powers of a metropolitan rapid transit authority.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 440 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 440** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MOTION TO PLACE SENATE BILL 402 ON SECOND READING

Senator Barrientos moved to suspend the regular order of business to take up for consideration at this time:

S.B. 402, Relating to the authority of counties to issue certificates of obligation.

On motion of Senator Barrientos and by unanimous consent, the motion to suspend the regular order was withdrawn.

SENATE BILL 401 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 401, Relating to prophylaxis for newborns; amending the Texas Venereal Disease Act.

The bill was read second time and was passed to engrossment.

SENATE BILL 401 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 401** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 670 ON SECOND READING

On motion of Senator Howard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 670, Relating to the issuing and dispensing of controlled substances and to the definition of "practitioner".

The bill was read second time.

Senator Howard offered the following committee amendment to the bill:

Amend **S.B. 670** by striking the remainder of the sentence following the word “issued” at line 26, page 3, of the bill and substituting the following:

“for a valid medical purpose and in the course of professional practice.”

The committee amendment was read and was adopted.

On motion of Senator Howard and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 670 ON THIRD READING

Senator Howard moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 670** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

SENATE BILL 838 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 838, Relating to the creation, administration, and use of the waste disposal fee fund and the reimbursement of the state from that fund.

The bill was read second time.

Senator Traeger offered the following amendment to the bill:

Amend **S.B. 838** by striking all below the enacting clause and substituting the following:

SECTION 1. The Texas Low-Level Radioactive Waste Disposal Authority Act (Article 4590f-1, Vernon's Texas Civil Statutes) is amended by adding Sections 4.05 and 4.06 to read as follows:

Sec. 4.05. LOW-LEVEL WASTE FUND. (a) The low-level waste fund is created as a special fund in the state treasury. The fund is an interest-bearing fund and interest earned on money in the fund shall be deposited to the credit of the low-level waste fund.

(b) All waste disposal fees, processing and packaging fees, civil penalties, and other receipts collected by the authority under this Act shall be deposited in the low-level waste fund.

(c) Money in the low-level waste fund and interest earned on the money in that fund shall be used to pay:

(1) operating and maintenance costs of the authority;

(2) reimbursement to the general revenue fund for expenses incurred by the state before the beginning of the first day of operation of the disposal site and for any other maintenance and operating expenses paid by appropriation from the general revenue fund;

(3) future costs of decommissioning, closing, and postclosure maintenance and surveillance of the disposal site;

- (4) licensing fees and to provide security required by the agency;
- (5) any money judgments rendered against the authority that are directed by a court of this state to be paid from this fund; and
- (6) impact assistance under Section 4.04 of this Act.

Sec. 4.06. REIMBURSEMENT OF GENERAL REVENUE FUND. (a) The authority shall reimburse the general revenue fund of the state from the low-level waste fund as provided by the reimbursement schedule adopted under this section.

(b) Within six months after the first day of operation of the disposal site under this Act, the comptroller of public accounts and the board shall jointly develop and adopt a reimbursement schedule for the authority that will allow the authority to reimburse the state for the expenses of the authority paid from state appropriations before the beginning of the operation of the disposal site plus any other money appropriated to the authority by the state for maintenance and operating expenses. The comptroller of public accounts and the board may periodically review the payment schedule and revise it to reflect the financial needs of the authority and the amounts collected as waste disposal fees and earned as interest on those fees in the waste disposal fee fund.

(c) The reimbursement schedule shall provide that reimbursement payments be made to the state by depositing to the credit of the general revenue fund of the state the appropriate amount from the low-level waste fund. The reimbursement schedule shall provide that the payments be made quarterly beginning with the first day of the state's fiscal year.

SECTION 2. Subsection (c), Section 4.02, Texas Low-Level Radioactive Waste Disposal Authority Act (Article 4590f-1, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) Waste disposal fees adopted by the board shall be sufficient to allow the authority to recover operating and maintenance costs, expenses incurred before beginning operation of the site amortized over a period of not more than 20 years beginning on the first day of operation of the disposal site, an amount necessary to meet future costs of decommissioning, [and] closing, and postclosure maintenance and surveillance of the disposal site, an amount sufficient to meet needs for impact assistance under Section 4.04 of this Act, an amount necessary to pay licensing fees and to provide security required by the agency under laws and rules of the agency.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Traeger and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 838 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 838 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

CONGRATULATORY RESOLUTIONS

- H.C.R. 108** - (Sims): Honoring Dr. Jack W. Humphries.
- S.R. 235** - By McFarland: Commending Mrs. Willie Mae McCormick.
- S.R. 236** - By Leedom: Commending Wendy Christine Kennedy.
- S.R. 237** - By Leedom: Extending congratulations to Mrs. Ella White Robertson.
- S.R. 238** - By Leedom: Commending David Edward Kennedy.
- S.R. 239** - By Leedom: Commending Ginger Elaine Kennedy.
- S.R. 240** - By Uribe: Commending the Gladys Porter Zoo in Brownsville.
- S.R. 241** - By Uribe: Extending congratulations to Mrs. Flavia E. Orason.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:13 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

FORTY-FOURTH DAY
(Wednesday, March 27, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Absent: Washington.

Absent-excused: Glasgow.

A quorum was announced present.

Mr. Weldon Miller of Mount Pleasant offered the invocation as follows:

Our Father, we are grateful indeed for this great country in which we live, for this great State. We pray that You would be with the Members of this body this morning as they deliberate. We pray that their decisions might be wise. We ask Your continued blessings upon us, and we ask for forgiveness of our sins. In Jesus' name we pray.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Farabee.